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Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED
U.S. DISTRICT COURT E.D.N.Y.
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LORENZINI, CLERK'S OFFICE

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

| | | |
|----------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 13-607 JFB |
| |) | |
| Plaintiff, |) | NOTICE OF PENDENCY OF ACTION; |
| |) | EXHIBIT "A" |
| v. |) | |
| |) | |
| PHILLIP A. KENNER and (01) |) | |
| TOMMY C. CONSTANTINE, (02) |) | |
| also known as |) | |
| "Tommy C. Hormovitis", |) | |
| |) | |
| Defendants. |) | |
| |) | |

NOTICE OF PENDENCY OF ACTION

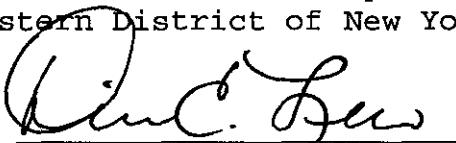
Pursuant to § 634-51 of the Hawaii Revised Statutes, notice is hereby given that Plaintiff United States of America has commenced a criminal action in the above-entitled court against defendants PHILLIP A. KENNER and TOMMY C. CONSTANTINE, also known as "Tommy C. Hormovitis". Upon the conviction of defendant, PHILLIP A. KENNER, for wire fraud violations, the United States shall seek to forfeit certain real property located at 95-4928 Hawaii Belt Road, Naalehu, Hawaii, titled in the name of Hanuapo Historical Society and

designated as Tax Map Key Number 3-9-5-014-046, together with all appurtenances and improvements, pursuant to 18 U.S.C. 981(a)(1)(C), 982(a)(1) and (b)(1) and Title 28, United States Code, Section 2461(c), as property constituting, or derived from, proceeds obtained directly or indirectly as a result the wire fraud violations, and all property involved in and traceable to such property. The property is more fully described in Exhibit "A" attached hereto and incorporated herein by reference.

The latest conveyance of record with reference to the property is found at the Bureau of Conveyances of the State of Hawaii as Document No. 2005-038305. The name of the person whose interest is intended to be affected is HONUAPO HISTORICAL SOCIETY.

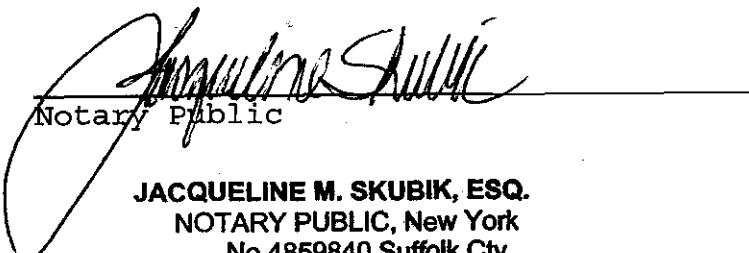
DATED: November 8, 2013, Central Islip, New York.

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By 

DIANE C. LEONARDO
Assistant U.S. Attorney
Attorneys for Plaintiff
UNITED STATES OF AMERICA

Sworn to before me this
8th day of November, 2013


Notary Public

JACQUELINE M. SKUBIK, ESQ.
NOTARY PUBLIC, New York
No.4859840 Suffolk Cty.
Expires April 28, 2014